

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ANDRE BOYER and PENNSYLVANIA
S.I.T.E.S. AGENTS, LLC,

Plaintiffs,

V.

Civil Action No. 5:23-CV-02885-JLS

CITY OF PHILADELPHIA, et al.,

JURY TRIAL OF 12 DEMANDED

Defendants.

PROPOSED ORDER

AND NOW, this _____ day of the month of _____, in the year _____, upon consideration of the Unopposed Motion for to File Amended Brief filed by Plaintiffs Andre Boyer and Pennsylvania S.I.T.E.S. Agents, LLC (“Plaintiffs”), it is hereby ORDERED that the Plaintiffs’ Motion is GRANTED. The Plaintiffs’ Amended Brief submitted at ECF No. 36 is accepted for filing by the Court.

BY THE COURT:

Hon. Jeffrey L. Schmehl

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ANDRE BOYER and PENNSYLVANIA
S.I.T.E.S. AGENTS, LLC,

Plaintiffs,

V.

Civil Action No. 5:23-CV-02885-JLS

CITY OF PHILADELPHIA, et al.,

Defendants.

JURY TRIAL OF 12 DEMANDED

PLAINTIFFS' UNOPPOSED MOTION TO FILE AMENDED BRIEF

NOW COME Plaintiffs Andre Boyer and Pennsylvania S.I.T.E.S. Agents, LLC (“Plaintiffs”), and file this Unopposed Motion to File Amended Brief, in support thereof averring as follows:

1. On December 18, 2023, Plaintiffs filed our Brief in Opposition at ECF No. 30 to the Motion to Dismiss by Defendants Lawrence Krasner and Philadelphia District Attorney’s Office (the “Moving Defendants”), which Motion raised a multiplicity of arguments.

2. After filing, undersigned counsel believes that several arguments could be better developed for the Court’s review. Undersigned counsel and his staff have worked diligently to try and reduce the complexity of the issues presented for the Court’s consideration, recognizing the complexity of the case at hand.

3. Plaintiffs have contacted counsel for Moving Defendants who neither join nor oppose this request to amend.

4. Plaintiffs have contemporaneously filed the Amended Brief together with this Motion and proposed order. The Amended Brief is 38 pages but cogently written to address the complex arguments raised by Moving Defendants and correct some citation errors that were caught

in the original brief filed at ECF No. 30.

5. It's well-settled that the Rules of Civil Procedure "reject that approach that pleading is a game of skill in which one misstep by counsel may be decisive to the outcome," and instead "accept the principle that the purpose of pleading is to facilitate a proper decision on the merits." Conley v. Gibson, 355 U.S. 41, 48 (1957). Plaintiffs represent to the Court that granting this Motion will properly preserve our arguments and facilitate a proper decision on the merits.

WHEREFORE, Plaintiffs Andre Boyer and Pennsylvania S.I.T.E.S. Agents, LLC respectfully ask that their Motion be granted and the Court enter the proposed order, permitting the Plaintiffs to file the Amended Brief at ECF No. 36; and such other relief as the Court deems necessary, just, or appropriate.

Respectfully submitted,

CORNERSTONE LAW FIRM, LLC

Dated: December 18, 2023

By: /s/ Joel A. Ready
Joel A. Ready, Esquire
PA Attorney I.D. # 321966
8500 Allentown Pike
Suite 3
Blandon, PA 19510
(610) 926-7875
joel@cornerstonelaw.us